

## BOTH VOLIVA POSSE IS FORCED AND DOWIE TO BACK OFF IN LOSE OUT FIGHT WITH DIETZ

Neither Comes in for Share of Valuable Properties of Zion City That They Both Were Hungry for.

### CHICAGO MAN IS APPOINTED TRUSTEE.

Voliva's Premature Action in Deeding Property to Granger Is Declared Null and Void by the Court.

CHICAGO, July 27.—Neither John Alexander Dowie, founder, nor Wibur Glen Voliva, present general overseer, is given the property, estimated to be worth from \$12,000,000 to \$21,000,000, in a decision handed down today by Judge K. M. Landis of the United States circuit court, in the Zion City case. Instead Judge Landis declared Zion City a trust estate, named John G. Hartje, a member of the Chicago Board of Trade, receiver of the property, and ordered the holding of an election September 18, when the people of the Christian Catholic Apostolic Church, in Zion City, shall choose their overseer. Judge Landis will decide later what compensation Dowie will be allowed for his past service. The rub of the court's decision is in the ruling that the contribution of property and money given Dowie was in trust.

Judge Landis declared the conveyance of Zion City property by Voliva, under power of attorney, to John Alexander Granger, to be void. Judge Landis quoted from the writings of Dowie to show that the latter had always regarded the property of his church as a trust. The adjudication in bankruptcy proceedings was also set aside, so that pending litigation against Dowie may automatically be restrained until the entire litigation is ended.

Receiver Hately's bond of \$25,000 was approved late in the afternoon by the court and he went immediately to Zion City and assumed charge of the property.

### FEDERATION CONVENTION OF CATHOLIC ORDERS.

ST. LOUIS, July 27.—Anthony Matre, of St. Louis, national secretary of the American Federation of Catholic societies, announced today the completion of the program for the fifth national convention of the federation at Buffalo, N. Y., July 29. Among the speakers will be Archbishop Messner of Milwaukee; Bishop Colton, of Buffalo; Bishop McFall, of Trenton; T. B. Minahan, of Seattle; Rev. F. C. Kelly, of Lapeer; Judge D. J. Kenefick, of Buffalo, and M. Gonneer, of Dubuque.

Leading questions to be discussed include "Divorce," "Socialism," "Libraries," "School" questions, etc. The convention will adopt the "Volkerlein plan," by which every Catholic in the United States can become a member of the federation.

### BATHER DROWNS WITH COMPANIONS NEAR.

LIMERICK, Me., July 27.—While in bathing with several companions today, Guy H. Furlong, 19 years old, son of Jefferson Furlong, was drowned in the pond at Limerick Mills. The body was recovered.

### MASSACRE OF JEWS FIXED FOR TODAY.

LONDON, July 27.—Israel Zangwill, has received a telegram from Russia to the effect that the country is on the eve of new massacres of Jews, which have been fixed for July 28, the anniversary of Russia's conversion to Christianity. The messages implore the assistance of Europe to prevent bloodshed.

## THREE CORPORATIONS ARE INDICTED

NEW YORK, July 27.—The federal grand jury appeared before Judge Hugh, in the United States District Court today and presented two indictments against three corporations as the result of its investigations with reference to the American Sugar Company. Attorney Stimson refused to make public the names of the corporations indicted. W. E. Foster, general auditor of the American Sugar Refining Company, was one of the witnesses before the jury yesterday.

It is said that at least one of the big transportation companies is named in the indictments.

Outlaw and His Family Successfully Stand Off for Days. Officers of the Law Who Try to Capture Them, and One of Posse Is Thought to Have Been Killed in Fierce Battle With Dietz's Followers.

### CLAIMS HE HAS ENOUGH AMMUNITION TO HOLD IMPROVED FORT FOR MANY WEEKS

Returning Battlers of the Posse Say That Battle Raged Fiercely Between Family and Posse and Bandit Showed Himself to Be Too Strongly Entrenched to Be Taken Without Larger Force — Governor Refuses Militia.

MILWAUKEE, July 27.—All efforts to capture John J. Dietz, have been abandoned, according to specials from points near Cameron Dam, where Wednesday's battle took place. The wounded soldier has disappeared and Sheriff Gylland charges Dietz with having killed him in revenge for the wounding of his son, Clarence. Sheriff Gylland, it is reported, has decided to make no more efforts to capture Dietz. Colonel G. Munson, secretary to the governor, said over the long distance telephone tonight that no orders for troops to aid in the capture of Dietz had been issued by the governor.

LADYSMITH, Wis., July 27.—Five of the six men who engaged in the fight to capture John Dietz are reported to have reached Winter, the nearest town to Cameron Dam. A sixth man is supposed to be the one who was shot. The militiamen were acting as individuals in the sheriff's posse.

## TWO NEGROES TO INVESTIGATE LYNCHED IN FLORIDA STANDARD'S METHODS

Killed Whites Without Provocation and Are Taken From a Posse.

TAMPA, Fla., July 27.—John Black and Wm. Reagan, negroes, were lynched by a mob of 200 men near Fort Gardner, Polk county, last night. The negroes killed Ed Granger, a white turpentine operator, without provocation, and were captured by Sheriff Wiggins and three deputies near the scene of the killing a few hours afterwards. A mob halted the sheriff and his posse and took possession of the prisoners. Both confessed, and were hanged to a nearby tree, being afterwards riddled with bullets. The mob immediately dispersed and the bodies were found this morning.

### HAILSTORM AT CLEVELAND.

CLEVELAND, Ohio, July 27.—A tremendous electrical rain, wind and hail storm broke over this city this afternoon. Immense hail stones and a torrent of rain fell. The wind reached a maximum of 42 miles an hour. A number of runaways were caused by pelting hail. A city employee at one of the city waterworks cribs in Lake Erie was killed by lightning.

### PRISONER GOES FREE.

POUGHKEEPSIE, N. Y., July 27.—Fritz Constantine, the man in jail here who is alleged to have murdered Mrs. Arthur Gentry, of Chicago, January 6 last, will be discharged tomorrow morning. He is not the man wanted by the Chicago police.

### AERIAL WONDER LAUNCHED.

PARIS, July 27.—Santos-Dumont yesterday began experiments with a new flying machine which he has just completed. It is in the form of an enormous bird, 300 feet long, weighing 320 pounds, and driven by a 24-horse power motor. M. Dumont made the flights with the machine suspended from a balloon, but later, after the Aero club has fixed a date, he will attempt to fly without the assistance of the balloon.

### FUNERAL NOTICE.

Funeral services over the remains of Jake Rigler, the man who was killed in a fell down the Shattuck shaft, will be held from the family residence at Johnson Addition this afternoon at 2 o'clock. Rev. Harvey M. Shields officiating. Friends and brother Pyrling are invited.

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CHIPPEWA FALLS, Wis., July 27.—Thomas Rice, one of the party of officers that went to arrest Dietz, returned to this city today, the party having given up the idea of taking Dietz. Rice says the story of the battle was not exaggerated. There was fifteen minutes of terrible battle between six members of the Dietz family and seven officers.

Dietz informed the men that he had enough ammunition to last three months. He has a strong fort and will resist.

## CHINESE REVOLUTIONISTS IN CONTROL.

VICTORIA, B. C., July 27.—Advices were received today by the steamer Athenian that the revolutionary outbreak in Chekiang, China, is becoming very alarming. The insurgent leader was captured and while he was being examined at Hsin Ching his followers attacked and captured the neighboring walled town of Tsao Hsi. After capturing this place they proceeded to Hsin Ching, captured that place and released their leader. A Christian church was burned at the first city captured. The insurrection is becoming formidable and has interrupted all traffic on the Lu Han railway. The three provinces of Chekiang, Honan and Kiangsi are in a most quiet state.

### PREPARING NOW TO NAME A REPUBLIC

Russian Workmen Have Mobilized and Demands Amount to Confiscation.

KHARTOV, July 27.—The staff correspondent here of the Associated Press finds that revolutionists are actively preparing for an armed uprising and reclamation of the "Republic of Khartov" in the autumn.

### QUICK WORK OF WOODMEN OF WORLD.

In less than twenty days after proofs of death of J. N. Jones left Bisbee for Omaha, a warrant for \$2,000.00 came for the widow of deceased, Mrs. J. N. Jones, arriving yesterday. It will be paid by the local lodge to the beneficiary.

### JEALOUS HUSBAND.

HELENA, Mont., July 27.—Charles D. Schmidt, an assistant bookkeeper for the Helena Water Works company, yesterday afternoon shot and killed his wife and tried to kill himself. It is said that Schmidt discovered a letter implicating his wife with a man at Fort Assiniboine. Schmidt shot his wife in the side with a shotgun, inflicting a wound from which she died almost instantly. Then he turned the weapon upon himself, firing a charge into his left breast. The doctors say he will recover, although his left arm is practically shot away and he has a serious wound in the breast. Schmidt is about 27 years old and his wife was 18.

### COAL LAND STEAL IN UTAH COURTS

SALT LAKE, July 27.—Four suits for recovery of 20,000 acres of valuable coal land alleged to have been acquired from the United States by frauds, were filed in the U. S. court for this district today. Attorney General Moody and District Attorney Hiram E. Booth appear as complainants and the Pleasant Valley Coal Company, the Utah Fuel Company and their officers as defendants.

ds, were filed in the U. S. court promised when the cases were brought up for trial. It is said that prominent Salt Lake men are implicated.

## WITNESS IS RAILROAD RATE WAR HARMFUL TO PROMISED TO BREAK HARTJE PREVIOUS RECORDS

Former Housemaid Accounts for Another of Letters in the Case and Strengthens Side of Respondent.

### CALLED FOR HARTJE, SHE HELPS HIS WIFE.

Three Detectives Now Guard Woman Upon Whom Vicious Assault Was Made on Street on Yesterday.

PITTSBURG, Pa., July 27.—Susie Wagner, formerly a maid in the employ of the Hartje household, was the witness for Mr. Hartje today in his suit for divorce, but by her testimony made an important point for Mrs. Hartje. That Susie Wagner received three letters from Mrs. Mary Scott Hartje, while Susie was in Germany, was brought out. Hitherto only two letters had been mentioned, one of them being the disputed letter known as "Exhibit No. 6." Miss Wagner said she gave the second letter to "Ed" Hartje in New York.

Mrs. Hartje's attorneys have contended all along that exhibit No. 6 was a forged reproduction of another letter. The admission that the second letter reached the Hartje side two months before No. 6 is regarded as important in view of the contention of Mrs. Hartje's counsel.

In order that she should not be further subjected to annoyance at the hands of rowdies, three detectives guarded Mrs. Hartje while on the streets today. The hearing was adjourned today until next week, when in two or three days it is expected that taking of evidence will be completed.

### PRISONER FREED ON EVE OF EXECUTION

Alabama Man Who Murdered a Senator Given His Liberty by Judge.

BIRMINGHAM, Ala., July 27.—Members of the legal profession of Jefferson county are in a quandary tonight over the most novel action in a criminal case ever taken in the state. Last night Judge Samuel L. Weaver, of the criminal court, granted a writ of habeas corpus in the case of John Williams, of Cullman, Alabama, just twelve hours before the time set for the execution of the prisoner for the murder of State Senator R. L. Hipp. The writ was made returnable today. The prisoner was convicted in the circuit court of Cullman county and the supreme court of Alabama affirmed the sentence. Williams was brought here for safe-keeping. A petition for a writ of habeas corpus was made on an insanity plea and the question which has been urged by counsel all day in the criminal court is whether a Jefferson county official has jurisdiction and authority to issue the writ. Arguments before the court have been continued until tomorrow. In the meantime the hour for legal execution has expired and it was thought a new date for hanging will have to be set in case of failure to sustain the insanity plea.

Governor Jelks, however, came to the rescue and granted the prisoner respite until tomorrow. He will grant respite from day to day until the question is settled. Sentiment in this community and in north Alabama, where the crime was committed, has not been so thoroughly aroused since the famous Hawes riot in 1888. The populace favors Williams.

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Chicago & Alton Started Cut to Get Business of the Fraternal Order of Eagles and Other Roads Got Busy — Results Promise to Rival Famous Rate Scrap of 1890, With Possibly Lower Cutting of Fares.

### KANSAS CITY TO CHICAGO FOR NOMINAL SUM OF \$5.00 TELLS HOW FAR FIGHT HAS GONE

St. Louis and Kansas City Roads Seem Bound to Get a Slice of the Business That Will Accrue From the Big Flocking of the Eagles at Milwaukee When the Grand Aerie Meets in the Town of Schlitz.

KANSAS CITY, July 27.—The railroad rates are again mixed up in a rate war which promises to equal the war of 1890, when the fare from Kansas City to Chicago went to \$1 for a one way ticket.

The Chicago & Alton railroad was recently selected as the official route by the Fraternal Order of Eagles, of the state of Kansas, to Milwaukee for the Grand Aerie meeting August 13 to 18, in connection with which the steamship company between Chicago and Milwaukee, the Alton made a rate of \$11 for the round trip against the Western Passenger Association's rate of one fare plus \$2, or \$16.00.

The other Kansas City-Chicago lines retaliated by making the rate of \$8 for the round trip to Chicago, plus \$1.50 boat fare, making a round trip rate from Kansas City to Milwaukee of \$9.50.

The Kansas City-St. Louis lines, feeling they would be left outside of the business, gave notice of a \$5 round trip to St. Louis on sale on the same dates. This is the lowest rate that has applied to St. Louis, Chicago and Milwaukee in many years.

These rates have been tendered all railroads west of Kansas City for basing purposes on trips to the cities named.

In addition to two special trains, carrying the western Kansas and local Eagles, a special train from Colorado, over the Missouri Pacific to Kansas City, will carry the Colorado delegation.

### WIFE RECEIVES LARGE SHARE OF HIS ESTATE

Other Relatives Are Provided for, But Contest of Will to Act as Bar to Being Beneficiary.

NEW YORK, July 27.—The will of Russell Sage, which was filed for probate today, bequeaths all of his estate to his widow, Margaret Olivia Sage, after the payment of \$25,000 to each of Mr. Sage's nephews and nieces, and \$10,000 to his sister, Mrs. Fanny Chapin, of Oneida, N. Y. Mrs. Chapin died since the will was made. The will also provides that in case of any of its beneficiaries contesting probate of it, they shall be cut off from any share in the estate.

There was nothing in the will to show value of Mr. Sage's estate. The will was dated February 11, 1901, and was sworn to by Edward Townsend and R. W. Freedman, as witnesses. It consists of about 800 words. There are seven sections.

The first section provides for the payment of Mr. Sage's debts and funeral expenses. By the second, Mr. Sage bequeaths \$10,000 to Mrs. Fanny Chapin, wife of Samuel Chapin, of Oneida, N. Y. By the third he gave \$25,000 to each of his nephews and nieces, and provided that in case any of them died before him their allotment shall be distributed among their issue. The fourth section provides:

"All the rest, residue and remainder of my estate I give, devise and bequeath to my wife, Margaret Olivia Sage, to have and to hold same to her absolutely and forever."

The fifth section provides that this provision for Mrs. Sage is to be in lieu of all right of dower in the estate. By the sixth section Mr. Sage empowers for Mrs. Sage is to be in lieu of all right of dower in the estate. In the seventh section he provided that in case his bequests to his sister, nephews and nieces should lapse or fail, the amounts so bequeathed shall revert to Mrs. Sage.

### CATTLEMAN HERE.

Colin Cameron, prominent in the cattle industry of Arizona and the southwest, is a visitor in the city. Mr. Cameron is one of the republicans party who is strongly antagonistic to anything that savors of a joint state with Arizona, and any other subdivision of the country.

### RARE DISEASE FATAL.

CHICAGO, July 27.—James W. Duncan, one of the leaders of the democratic party in Illinois, and prominent among the members of the Chicago bar, died Saturday after ten days' illness, aged 57 years.

The disease which brought death to Mr. Duncan was leukemia, concerning which medical science knows little. It causes multiplication of the white corpuscles of the blood, producing fatal blood weakness. No one distressed Mr. Duncan to such an extent that for several days Mayor Dunne had Prairie avenue closed to traffic in the block in front of the Duncan home.

### ARIZONA WEATHER.

WASHINGTON, July 27.—Arizona, fair in south, thunder showers in the north portion Saturday and probably Sunday.

## WILL OF SAGE IS FILED FOR PROBATE

New York's Great Financier Provides to Minutest Detail for the Distribution of His Wealth.

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